

IGNACIA S. MORENO  
Assistant Attorney General  
DANIEL G. BOGDEN  
United States Attorney  
Greg Addington, Assistant U.S. Attorney  
Susan L. Schneider, Trial Attorney  
U.S. Department of Justice  
Environment and Natural Resources Div.  
999 – 18<sup>th</sup> Street,  
Suite 370, South Terrace  
Denver, Colorado 80202  
(303) 844-1348  
susan.schneider@usdoj.gov  
*Attorneys for the United States of America*

Wes Williams, Jr., Nevada Bar No. 06864  
3119 Lake Pasture Rd.  
P.O. Box 100  
Schurz, Nevada 89427  
(775) 773-2838  
wwilliams@stanfordalumni.org  
*Attorney for the Walker River Paiute Tribe*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	IN EQUITY NO. C-125-ECR
	)	3:73-CV-00125-ECR-WGC
Plaintiff,	)	
	)	Subproceedings: C-125-B
WALKER RIVER PAIUTE TRIBE,	)	3:73-CV-00127-ECR-WGC
	)	
Plaintiff-Intervenor,	)	<b>RESPONSE TO REQUEST THAT THE</b>
vs.	)	<b>PROPOSED ORDER CONCERNING</b>
	)	<b>SIXTEENTH REPORT OF THE UNITED</b>
WALKER RIVER IRRIGATION DISTRICT,	)	<b>STATES OF AMERICA CONCERNING</b>
a corporation, et al.,	)	<b>STATUS OF SERVICE ON CERTAIN</b>
	)	<b>PERSONS AND ENTITIES AND</b>
Defendants.	)	<b>REQUEST FOR GUIDANCE BE</b>
	)	<b>DISCUSSED AT NEXT STATUS</b>
	)	<b>CONFERENCE</b>

---

The United States of America (“United States”) and the Walker River Paiute Tribe (“Tribe”) hereby respond to the *Request that the Proposed Order Concerning Sixteenth Report of the United States of America Concerning Status of Service on Certain Persons and Entities and Request for Guidance Be Discussed at Next Status Conference* (#B-1693, Feb. 16, 2012), which was filed by the United States Board of Water Commissioners (“U.S. Board”). The U.S. Board asks that the Court defer signing the *Proposed Order Concerning Sixteenth Report* (#B-1689) that addresses the *Sixteenth Report of the United States of America Concerning Status of Service*

*on Certain Persons and Entities and Request for Guidance*, (Doc #B-1609) (“Sixteenth Service Report”), and discuss the matter further at the Status Conference currently set for March 13, 2012.

The United States and Tribe do not object to including this issue in the matters to be discussed with the Court on March 13, 2012, and will include it on the proposed Status Conference agenda that will be filed with the Court. The United States and Tribe ask that the U.S. Board, which is not a party to C-125 or any of its subproceedings, be prepared to explain at that time its purported authority to make this filing, to identify all members of the U.S. Board with whom this filing was discussed, and to identify who approved making this filing on behalf of the U.S. Board. The United States and Tribe reserve all other comments and questions regarding this filing.

Dated: March 1, 2012.

Respectfully submitted,

By /s/ Susan L. Schneider  
SUSAN L. SCHNEIDER  
*Attorneys for the United States of America*

Dated: March 1, 2012

Respectfully submitted,

By /s/ Wes Williams Jr.  
WES WILLIAMS JR.  
*Attorney for the Walker River Paiute Tribe*

OF COUNSEL FOR THE UNITED STATES:

Chris Watson, Attorney-Advisor  
U.S. Department of the Interior  
Office of the Solicitor  
Division of Indian Affairs  
Mail Stop 6513  
1849 C St., NW  
Washington, DC 20240  
(202) 208-3401

CERTIFICATE OF SERVICE

I hereby certify that on this 1<sup>st</sup> day of March 2012, I electronically filed the foregoing **RESPONSE TO REQUEST THAT THE PROPOSED ORDER CONCERNING SIXTEENTH REPORT OF THE UNITED STATES OF AMERICA CONCERNING STATUS OF SERVICE ON CERTAIN PERSONS AND ENTITIES AND REQUEST FOR GUIDANCE BE DISCUSSED AT NEXT STATUS CONFERENCE** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following via their email addresses:

Marta A. Adams  
[maadams@ag.state.nv.us](mailto:maadams@ag.state.nv.us) [payoung@ag.state.nv.us](mailto:payoung@ag.state.nv.us)

Gregory W. Addington  
[greg.addington@usdoj.gov](mailto:greg.addington@usdoj.gov) [judy.farmer@usdoj.gov](mailto:judy.farmer@usdoj.gov) [joanie.silvershield@usdoj.gov](mailto:joanie.silvershield@usdoj.gov)

George N. Benesch  
[gbenesch@sbcglobal.net](mailto:gbenesch@sbcglobal.net)

Gordon H. DePaoli  
[gdepaoli@woodburnandwedge.com](mailto:gdepaoli@woodburnandwedge.com)

Dale E. Ferguson  
[dferguson@woodburnandwedge.com](mailto:dferguson@woodburnandwedge.com)

Simeon M. Herskovits  
[simeon@communityandenvironment.net](mailto:simeon@communityandenvironment.net)

John W. Howard  
[john@jwhowardattorneys.com](mailto:john@jwhowardattorneys.com) [elisam@jwhowardattorneys.com](mailto:elisam@jwhowardattorneys.com)

Erin K.L. Mahaney  
[emahaney@waterboards.ca.gov](mailto:emahaney@waterboards.ca.gov)

David L. Negri  
[david.negri@usdoj.gov](mailto:david.negri@usdoj.gov)

Michael Neville  
[michael.neville@doj.ca.gov](mailto:michael.neville@doj.ca.gov), [cory.marcelino@doj.ca.gov](mailto:cory.marcelino@doj.ca.gov)

Karen A. Peterson  
[kpeterson@allisonmackenzie.com](mailto:kpeterson@allisonmackenzie.com), [egarrison@allisonmackenzie.com](mailto:egarrison@allisonmackenzie.com)

Laura A. Schroeder

[counsel@water-law.com](mailto:counsel@water-law.com)

Stacey Simon  
[ssimon@mono.ca.gov](mailto:ssimon@mono.ca.gov)

Wes Williams Jr.  
[wwilliams@stanfordalumni.org](mailto:wwilliams@stanfordalumni.org)

Cheri Emm-Smith  
[districtattorney@mineralcountynv.org](mailto:districtattorney@mineralcountynv.org)

William E. Schaeffer  
[lander\\_lawyer@yahoo.com](mailto:lander_lawyer@yahoo.com)

Bryan L. Stockton  
[blstockt@ag.state.nv.us](mailto:blstockt@ag.state.nv.us), [payoung@ag.state.nv.us](mailto:payoung@ag.state.nv.us)

Stuart David Hotchkiss  
[david.hotchkiss@ladwp.com](mailto:david.hotchkiss@ladwp.com)

Paul J. Anderson  
[panderson@mclrenolaw.com](mailto:panderson@mclrenolaw.com)

Richard W. Harris  
[rharris@gbis.com](mailto:rharris@gbis.com)

John Paul Schlegelmilch  
[jpslaw@netscape.com](mailto:jpslaw@netscape.com)

Michael R. Montero  
[mrm@eloreno.com](mailto:mrm@eloreno.com)

Julian C Smith, Jr.  
[joylyn@smithandharmer.com](mailto:joylyn@smithandharmer.com)

Gene M. Kaufmann  
[GKaufmann@mindenlaw.com](mailto:GKaufmann@mindenlaw.com)

J. D. Sullivan  
[jd@mindenlaw.com](mailto:jd@mindenlaw.com)

Charles S Zumpft  
[zumpft@brooke-shaw.com](mailto:zumpft@brooke-shaw.com)

Harry W. Swainston  
[hwsainston@earthlink.net](mailto:hwsainston@earthlink.net)

Malissa Hathaway McKeith  
[mckeith@lbbslaw.com](mailto:mckeith@lbbslaw.com)

Sheri M. Thome  
[sheri.thome@wilsonelser.com](mailto:sheri.thome@wilsonelser.com)

Marvin W. Murphy  
[marvinmurphy@sbcglobal.net](mailto:marvinmurphy@sbcglobal.net)

Brian Chally  
[brian.chally@lvvwd.com](mailto:brian.chally@lvvwd.com)

Kirk C. Johnson  
[kirk@nvlawyers.com](mailto:kirk@nvlawyers.com)

G. David Robertson  
[gdauid@nvlawyers.com](mailto:gdauid@nvlawyers.com)

Louis S Test  
[twallace@htag.reno.nv.us](mailto:twallace@htag.reno.nv.us)

T. Scott Brooke  
[brooke@brooke-shaw.com](mailto:brooke@brooke-shaw.com)

William J Duffy  
[william.duffy@dgsllaw.com](mailto:william.duffy@dgsllaw.com)

Michael D Hoy  
[mhoy@nevadalaw.com](mailto:mhoy@nevadalaw.com)

Debbie Leonard  
[dleonard@mcdonaldcarano.com](mailto:dleonard@mcdonaldcarano.com)

Michael F. Mackedon  
[falonlaw@phonewave.net](mailto:falonlaw@phonewave.net)

Donald B. Mooney  
[dbmooney@dcn.org](mailto:dbmooney@dcn.org)

Erick Soderlund  
[esoderlu@water.ca.gov](mailto:esoderlu@water.ca.gov)

Don Springmeyer  
[dspringmeyer@wrslawyers.com](mailto:dspringmeyer@wrslawyers.com)

James Spoo  
spootoo@aol.com, jjrbau@hotmail.com

Lynn Steyaert  
lls@water-law.com

Micheal A. Pagni  
mpagni@mcdonaldcarano.com

Noelle R. Gentilli  
ngentill@water.ca.gov

Ross E. de Lipkau  
ecf@parsonsbehle.com

Sylvia L. Harrison  
sharrison@mcdonaldcarano.com

and I further certify that I served a copy of the forgoing to the following non CM/ECF participants by U.S. Mail, postage prepaid, this 1<sup>st</sup> day of March, 2012:

Ken Spooner  
Walker River Irrigation District  
P. O. Box 820  
Yerington, NV 89447

Athena Brown, Superintendent  
Western Nevada Agency  
Bureau of Indian Affairs  
311 E. Washington Street  
Carson City, NV 89701-4065

Allen Biaggi  
Dept. of Conservation & Natural Res.  
State of Nevada  
901 S. Stewart St., Suite 1003  
Carson City, NV 89701

State Engineer - Division of Water Resources  
State of Nevada  
901 S. Stewart St.  
Carson City, NV 89701

Jim Shaw  
Chief Dep. Water Commissioner  
U. S. Bd. Water Commissioners  
410 N. Main Street  
Yerington, NV 89447

Lyon County District Attorney  
31 South Main Street  
Yerington, NV 89447

William J Shaw ,  
Brooke & Shaw, Ltd.  
1590 Fourth Street  
P.O. Box 2860  
Minden, NV 89423

R. C. Howard  
Hale Lane Peek, Dennison & Howard  
5441 Kietzke Lane  
Suite 200  
Reno, NV 89511

Kelly R. Chase  
P.O. Box 2800  
Minden, NV 89423

George M. Keele  
1692 County Road  
Suite A  
Minden, NV 89423

Gary A Sheerin  
Gary A. Sheerin, Law Office of  
177 W Proctor Street  
Suite B  
Carson City, NV 89703

Walker Lake Water Dist. G.I.D.  
Walker Lake GID  
175 Wassuk Way  
Walker Lake, NV 89415

David Moser  
McCutchen, Doyle, Brown, et al.  
Three Embarcadero Center

Suite 1800  
San Francisco, CA 94111

Gary Stone  
Water Master  
290 South Arlington Ave.  
Reno, NV 89501

James Fousekis  
2848 Garber Street  
Berkeley, CA 94705

Mary Rosaschi  
PO Box 22  
Wellington, NV 89444

Arden O. Gerbig  
106629 US Highway 395  
Coleville, CA 96407-9538

/s/ Eileen Rutherford  
Eileen Rutherford, Senior Paralegal  
USIS/Labat for US Department of Justice